REMARKS

This a Supplemental Response to the Amendment filed on December 6, 2006, the entry of which is respectfully requested. These remarks are identical to the remarks submitted with the December 6, 2006 Amendment, except Applicant provides further support in the section below under the heading "Supplemental Remarks."

Claims 1-14 are all the claims pending in the application.

Claims 1-14 are objected to.

Claims 1-14 are rejected.

Claims 1-2, and 4-5 are rejected under 35 U.S.C. § 102(b) as being unpatentable over Glover et al. (U.S. Patent Number 6,052,780).

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Glover et al. (U.S. Patent Number 6,052,780), as applied to claims 1-2, in view of Schneier ("Applied Cryptography, Second Edition").

Claims 6-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Glover et al. (U.S. Patent Number 6,052,780), as applied to claims 1-2, in view of McManis (U.S. Patent Number 5,757,914).

Claims 12-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Glover et al. (U.S. Patent Number 6,052,780), as applied to claims 1-2, in view of Cabrera et al. (U.S. Patent Number 5,978,815).

Claim 14 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Glover et al. (U.S. Patent Number 6,052,780) in view of McManis (U.S. Patent Number 5,757,914), as applied to claim 3, and further in view of Cabrera et al. (U.S. Patent Number 5,978,815).

The Applicant traverses the rejection and respectfully requests reconsideration.

Claim Objections

The Examiner objects to claims 1-14 because the independent claims recite that encryption and decryption are performed by the device driver when these operations are performed by the processor executing the driver. The Applicant *agrees* that the decryption and encryption are done by the processor. In fact, a skilled artisan will know that a processor actually executes a section of the code even though that section of the code is referred to as having executed the code. Such a phraseology is commonly used in the relevant art. Further, the Applicant respectfully submits that the chosen claim language is neither indefinite nor does it impede the patentability of any of the claims.

The Applicant maintains that the changes to the claims in the Amendment filed on June 19, 2006 were made primarily for clarification and are not believed to narrow the scope of the claims. The Applicant does not wish the Examiner to ignore any limitations in the claims.

Claim Rejections Under 35 U.S.C. § 102

The Examiner rejects Claims 1-2, and 4-5 under 35 U.S.C. § 102(b) as being anticipated by Glover (US Patent Number 6,052,780). All the Applicant's arguments in this response focus on the functionality that the present invention's device driver decrypts part of itself. By having the "encrypted code portion" in the device driver, the driver's code becomes harder to reverse engineer or analyze. The Applicant respectfully submits that this discerning feature distinguishes the present invention over the prior art.

The Examiner alleges Glover clearly shows in Fig. 7 that the "unwrap procedure," "device driver," and "hidden application" are all part of one "computer program file."

Additionally, the Examiner alleges Glover clearly shows that the device driver performs the decryption. The Applicant *agrees* the device driver performs the decryption in Glover. However, the device driver, as the Examiner states, is separate from the encrypted code portion. The Applicant respectfully submits that the exact opposite is true of the present invention. The encrypted code portion is part of the device driver in the present invention as recited in claim 1.

Claim 1 recites a method for operating a device driver including the step of "providing a device driver *comprising* an encrypted program code portion of a main process" (emphasis added). Therefore, the device driver is comprised of an encrypted program code portion. Furthermore, the next step consists of "decrypting the encrypted program code portion," correctly implying that the device driver is decrypting *part of itself* because the previous step recites that the device driver comprised of the encrypted code portion. Then, for additional clarity, the claim recites that "the encrypted program code portion to be decrypted is in said device driver's *own* program" (emphasis added).

This interpretation is consistent with the invention's stated purpose: The object of the present invention is to provide device driver structuring method to prevent program analysis of the device driver (Specification, Page 4, lines 21-23). The Applicant designed the device driver program *itself* to contain encrypted code to prevent analysis of the device driver.

If the encrypted code were separate from the device driver, as indicated in Figure 7 of Glover, then the purpose of the present invention would not be achieved. Figure 7 shows the "device driver" as a separate section of the "computer file" from the "hidden application" unlike the present invention. No part of the device driver in Glover has been encrypted as required by the present invention.

Therefore, the Applicant respectfully submits that claim 1 should be allowable. Claim 4 should be allowable for at least the same reasons because of its dependency on claim 1.

Claim 2 includes limitations analogous to those described in claim 1. Therefore, it should be allowable for reasons analogous to those described above. Claim 5 should be allowable for at least the same reasons because of its dependency on claim 2.

Claim Rejections Under 35 U.S.C. § 103

The Examiner uses Glover in combination with various references to reject claims 3, and 6-14 under 35 U.S.C. § 103(a). However, as discussed above, because Glover does not disclose a device driver that decrypts part of itself to prevent analysis of the device driver.

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Glover et al. (U.S. Patent Number 6,052,780), as applied to claims 1-2, in view of Schneier ("Applied Cryptography, Second Edition"). Claim 3 includes limitations analogous to those described above in relation to claim 1. Therefore, it is patentable at least for analogous reasons. Moreover, Schneier does not overcome the deficiencies as noted above in the teachings of Glover.

Claims 6-11 are rejected under 35 U.S.C. § 103(a) as being anticipated by Glover et al. (U.S. Patent Number 6,052,780), as applied to claims 1-2, in view of McManis (U.S. Patent Number 5,757,914). Claims 6-11 depend on claims 1 and 2. Claims 6-11 also include limitations analogous to those described above in relation to claim 1. Therefore, they are patentable at least for analogous reasons. Moreover, McManis does not overcome the deficiencies as noted above in the teachings of Glover.

Claims 12-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Glover et al. (U.S. Patent Number 6,052,780), as applied to claims 1-2, in view of Cabrera et al. (U.S.

Patent Number 5,978,815). Claims 12-13 depend on claims 1 and 2. Claims 12-13 include limitations analogous to those described above in relation to claim 1. Therefore, they are patentable at least for analogous reasons. Moreover, Cabrera does not overcome the deficiencies as noted above in the teachings of Glover.

Claim 14 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Glover et al. (U.S. Patent Number 6,052,780), as applied to claims 1-2, in view of McManis (U.S. Patent Number 5,757,914), as applied to claim 3, and further in view of Cabrera et al. (U.S. Patent Number 5,978,815). Claim 14 depends on claims 3. Claim 14 includes limitations analogous to those described above in relation to claim 1. Therefore, it is patentable at least for analogous reasons. Moreover, McManis or Cabrera do not overcome the deficiencies as noted above in the teachings of Glover.

Supplemental Remarks

The Examiner argues that "Glover also clearly shows that the device driver 'performs' the decryption" (Office Action, page 3). This can be seen in Fig. 6 Step 116 which describes the operation of the device driver, as well as in Col. 11 Paragraph 2, especially lines 23-26" (Office Action, Page 3, lines 1-4).

However, Glover discloses that "The device driver then reads the data from the original data file, decrypts and decompresses it, and returns the decrypted/decompressed data to the operating system in step 116" (Col. 11, lines 23-26). That is, Glover discloses that the device driver decrypts the data from the original data file **not** the device driver itself as in claim 1. However, Glover doesn't disclose that the device driver **itself** comprises an encrypted program code portion and the encrypted program code portion is decrypted.

Further, Glover discloses that "The file system driver 124 returns encrypted code 138 to the device driver 122 (Fig. 7). The encrypted code 138 passes back through the device driver 122 to the operating system 120 which in turn provides the encrypted code 138 to the device driver 122 as the reply to the request 136 for the original file. The device driver 122 then decrypts the code to provide decrypted code 140 to the operating system 120. (Col. 11, lines 64-65 and Fig. 7). That is, Glover discloses that the device driver decrypts the encrypted code 138 from the file system driver 124 **not** the device driver itself. Accordingly, Glover does not teach or suggest a method for operating a device driver "wherein the decrypting is performed by said device driver and the encrypted program code portion to be decrypted is in said device driver's own program" as recited in claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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